

House Democrats seeking more say on covert actions

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WASHINGTON — House Democrats are moving to impose tighter controls over covert intelligence activities, despite warnings from two former CIA directors that the rules would handcuff and possibly endanger secret operations.

The effort — inspired by the Iran-contra affair — is expected to spark a confrontation between the House and the Reagan administration over the role of Congress in sensitive foreign policy decisions.

House Speaker Jim Wright (D., Texas) yesterday set the stage for a showdown, endorsing legislation that would require the administration to notify congressional leaders within 48 hours of undertaking covert actions.

The bill is a direct response to the shipment of U.S. arms to Iran, which were kept secret from Congress for more than nine months despite a requirement in current law that top lawmakers be notified of such activities in a "timely fashion."

Wright said the new notification requirement would guard against "executive arrogance — the idea that certain things are too risky, too important . . . to be shared with Congress."

Two former CIA directors, appearing at a hearing before the House Intelligence subcommittee on legislation, said the proposed law was an overreaction to the Iran affair and urged Congress to leave the law as it is.

"Every time we have a murder, we don't necessarily try to change the laws against murder," said William

E. Colby, who headed the CIA during the Nixon and Ford administrations.

Adm. Stansfield Turner, the CIA director during the Carter administration, said the notification requirement would make it difficult for the CIA to send agents on dangerous missions. He expressed fears that disclosure of such missions could endanger lives.

Turner cited three instances during his tenure when he asked agents to undertake life-threatening operations. He said all three, which were not disclosed to Congress at the time, involved efforts to free American hostages at the U.S. Embassy in Iran in 1979 and 1980.

One occurred when the CIA sent an agent to Tehran to engineer the departure of six Americans who were hiding in the Canadian Embassy. The second episode was when CIA personnel flew a light aircraft into the Iranian desert to determine whether the site could be used as a refueling stop in an attempted military rescue of the hostages — a mission that later failed. The third occurrence was when CIA personnel went to Tehran to purchase trucks to transport the rescuers from their helicopters to the U.S. Embassy.

"I would have found it very difficult to look such an individual in the eye and tell him or her that I was going to discuss this life-threatening mission with . . . people who were not necessarily involved in supporting the activity," Turner said.

Under the law, the administration is expected to keep the House and Senate Intelligence Committees informed of covert actions. In special circumstances, notification can be

limited to eight top lawmakers, including the House speaker and Senate majority leader. The notification is supposed to occur in a "timely fashion," but there is no definition of *timely* in the law. The proposed bill, sponsored by Louis Stokes (D., Ohio), would, in effect, define *timely* as within 48 hours.

Prospects for the bill appear less promising in the Senate, where top members of the Intelligence Committee have expressed reservations about writing new restrictions on covert activities. Committee Chairman David L. Boren (D., Okla.) has said it is more important to rebuild a relationship of trust between the administration and Congress.

Rep. Matthew F. McHugh (D., N.Y.), chairman of the subcommittee that held the hearing yesterday, said the main purpose of the bill was to make sure that Congress is kept informed whenever an administration makes a significant shift in policy. Such consultation might have persuaded Reagan to abandon the idea of sending arms to Iran, he said.

McHugh said the legislation might be revised to reflect Turner's concerns. But he said it would be difficult to stipulate in advance what kinds of operations would not have to be disclosed to Congress within 48 hours.

Administration officials are scheduled to present their position on the legislation next week. Congressional Republicans have indicated that the administration would object to the measure. House Minority Leader Robert H. Michel (R., Ill.) termed the legislation the "functional equivalent of a foreign policy straitjacket" on the president.